

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 1-3 and 9 were rejected under 35 U.S.C. 103(a) over U.S. Patent No. 4,890,330 to Meyer (hereinafter “Meyer”) in view of U.S. Patent No. 6,144,748 to Kerns (hereinafter “Kerns). Claim 9 has been canceled herein. Claim 1 has been amended to better distinguish from the cited references. Therefore, for the following reasons the rejection has been rendered moot by the amendment.

Regarding claim 1, neither Meyer nor Kerns teaches or suggests “a module being mounted to a base part via a pivot bearing, said module comprising a *plurality of submodules*, one of the submodules being releasably mounted to another one of the submodules,” as required. The audio connection (10) taught by Meyer is a single module that includes a battery compartment (17) and is not made up of releasably mounted submodules, as in claim 1. Kerns merely teaches an auxiliary device (240) that interfaces with a hearing device (210). Neither Meyer nor Kerns suggests modifying there teachings to include multiple submodules, as in claim 1. Thus, each and every limitation of the claim is not taught or suggested by Meyer, Kerns or a combination thereof. Therefore, claim 1 and its dependent claims 2 and 3 are patentable over the prior art of record.

Non-elected claims 4-8 have been canceled by amendment herein.

Further, a new claim 10, which depends from claim 1, has been added by amendment herein. Claim 10 is patentable for at least the reasons described above with regard to claim 1.

Appl. No. 10/766,162
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Reply to Office action of March 24, 2005

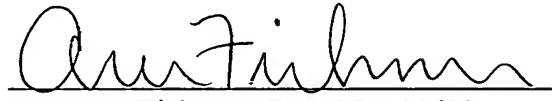
In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 31856US1.

Respectfully submitted,

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